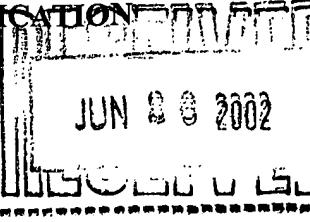




PATENT APPLICATION

6-26-02
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JUN 26 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Michio MASUDA, et al.

Appln. No. 09/752,520

Confirmation No.: 9986

Filed: January 03, 2001

Docket No: Q62568

Group Art Unit: 2152

Examiner: Unknown

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JUN 24 2002

Technology Center 2100

For: **MULTI-LAYER CLASS IDENTIFYING COMMUNICATION APPARATUS WITH
PRIORITY CONTROL**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the document which is listed on the attached PTO/SB/08 A & B (modified) (substitute for PTO Form 1449) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of the listed document is submitted herewith.

1. Japanese Unexamined Patent Application Publication No. 11-331257, published November 30, 1999.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the

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INFORMATION DISCLOSURE STATEMENT

merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Japanese Office Action dated April 19, 2002, and an English translation of the pertinent portions thereof, which cites and indicates the degree of relevance found by the foreign office.

The submission of the listed document is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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Date: June 21, 2002

The invention according to the following claims of the present application could have been easily invented, prior to the filing, by a person having common knowledge in the technical field of the invention based on the inventions described in the publications indicated below, which had been distributed in Japan or abroad prior to the filing, and therefore cannot be patented, as per the stipulations of Article 29, Section 2 of the Patent Law.

Description

- Claims: 1 through 10
- Publications

1. Japanese Unexamined Patent Application Publication H11-331257

Remarks

(Claims 1 through 10)

Cited Example 1 describes a method for controlling traffic between networks in a router, whereby the priority of TCP/UDP packets is determined based on the port number set in said packets, and traffic control is carried out based on that priority. Moreover, carrying out scheduling and policing in order to control traffic is something commonly known to persons skilled in the art.

Therefore, the inventions as per Claims 1 through 10 of the present application could be easily devised by a person skilled in the art based on what is described in Cited Example 1.

If other reasons for rejection are newly discovered, another Notification of Reasons for Rejection will be issued.